

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Dailey Law Firm PC,

Debtor.

Case No. 23-45970-MLO

Chapter 7

Hon. Maria L. Oxholm

**ORDER RESOLVING TRUSTEE’S MOTION  
FOR ORDER ESTABLISHING PROCEDURES FOR  
THE DISPOSITION OF RECOVERIES IN CLIENT CASES  
AND ASSESSING SANCTIONS (DOCKET #275)**

This matter is before the Court on the Trustee’s Motion for Order Establishing Procedures for the Disposition of Recoveries in Client Cases and Assessing Sanctions (“Motion”; Docket #275). The Court is informed that on the date this case was converted to a Chapter 7—September 14, 2023—the Debtor represented numerous clients in legal matters under contingency fee arrangements (“Client Cases” or, singularly, “Client Case”), and as Client Cases are settled or otherwise adjudicated, funds will become available (“Case Funds”) from which to pay attorney fees and expenses. The Motion and notice of the Motion were served on Brian Dailey and Dailey Trial Lawyers, PC. Brian Dailey filed a response (Docket #304), and a hearing was held February 22, 2024. Based on the parties resolving the Motion and for the reasons stated on the record, the Court finds good cause to enter this Order.

IT IS ORDERED as follows:

A. Upon settlement or adjudication of a Client Case in which Brian Dailey or Dailey Trial Lawyers, PC are successor/substitute counsel, all Case Funds must be paid to “Mark H. Shapiro, Trustee” and delivered to the Trustee for deposit in an IOLTA account. Upon receipt of any Case Funds, the Trustee will promptly deduct costs for which he has evidence (“Costs”) and a 1/3 contingency fee calculated on the gross recovery, less costs (“Fees”); and deliver the balance of the Case Funds to the attorney of record in the Client Case with a check issued payable to the respective client.

B. The Trustee will hold the Fees and Costs in the estate (non-IOLTA) trust account until further order of this Court.

C. The Trustee waives any claim for attorney’s fees or costs as a sanction for this Motion.

**Signed on February 23, 2024**



/s/ Maria L. Oxholm

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**Maria L. Oxholm**  
**United States Bankruptcy Judge**